UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

James M. Rogers,

     Plaintiff,

                                Civil Case No. 21-12412

v.

Michael Toby, *et al.*,   Sean F. Cox
                                  United States District Court Judge

     Defendants.

_____/

**ORDER ADOPTING
5/20/22 REPORT AND RECOMMENDATION**

Plaintiff James M. Rogers filed this civil action on October 8, 2021, asserting claims against Defendants. The action was assigned to the Honorable Stephanie Dawkins Davis. Judge Davis granted Plaintiff's motion seeking to proceed *in forma pauperis* and referred the matter to the assigned magistrate judge for specified proceedings.

Thereafter, on April 25, 2022, Magistrate Judge Kimberly Altman issued an Order to Show Cause, wherein she ordered Plaintiff to show cause in writing why the action should not be dismissed for failure to prosecute. After Plaintiff failed to respond to that order by the specified date for doing so, on May 20, 2022, Magistrate Judge Altman issued a Report and Recommendation wherein she recommends that the Court dismiss this action for failure to prosecute under Fed. R. Civ. P. 41(b) and E.D. Mich. LR 41.2.

On June 16, 2022, this action was randomly reassigned to the undersigned judge. (*See* 6/16/22 docket entry).

Pursuant to FED. R. CIV. P. 72(b), a party objecting to the recommended disposition of a

matter by a Magistrate Judge must filed objections to the R&R within fourteen (14) days after

being served with a copy of the R&R. "The district judge to whom the case is assigned shall

make a *de novo* determination upon the record, or after additional evidence, of any portion of the

magistrate judge's disposition to which specific written objection has been made." *Id.*

The docket reflects that the time for filing objections to the R&R has expired and

Plaintiff has not filed objections to the R&R. The Court hereby ADOPTS the May 20, 2022

R&R.

IT IS ORDERED that this action is DISMISSED FOR FAILURE TO PROSECUTE.

IT IS SO ORDERED.

s/Sean F. Cox
Sean F. Cox
United States District Judge

Dated: June 22, 2022